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MAR 26 PAGE 1

Supreme Court, U.S.
FILED
MAR 9 - 2010
OFFICE OF THE CLERK

No. 09-728

IN THE
Supreme Court of the United States

JON A. JENSEN, JANE DOE JENSEN
and the marital community thereof,

Petitioners,

v.

PAUL A. STOOT, SR. and TAMMIE L. STOOT,
husband and wife, and as parents and guardians of
Paul A. Stoot II, and PAUL A. STOOT II, a minor child,

Respondents

ON PETITION FOR A WRIT OF CERTIORARI TO THE
UNITED STATES COURT OF APPEALS FOR THE NINTH CIRCUIT

SUPPLEMENTAL APPENDIX

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Everett Police Department

☒ FOLLOW UP REPORT ☐ ORIGINAL NARRATIVE

RAPE OF A CHILD

ON TWELVE, TWENTY-FOUR, ZERO-THREE (12/24/03), I WAS ASSIGNED A RAPE OF A CHILD CASE. THE VICTIM IS [redacted] SHE IS FOUR (4) YEARS OLD. HER MOTHER IS [redacted] JOHNSON. MS. JOHNSON REPORTED THAT SHE FOUND HER DAUGHTER PLAYING WITH HERSELF, WITH HER HANDS, ON HER VAGINAL AREA. SHE HAD TAKEN HER DAUGHTER ASIDE AND HAD ASKED HER WHY SHE WAS DOING THAT. THE GIRL TOLD HER MOTHER THAT WHEN SHE WAS STAYING AT PAUL'S HOUSE, PAUL'S FIFTEEN (15) YEAR OLD SON, ALSO CALLED PAUL, HAD PULLED DOWN HIS PANTS, PULLED HIS LITTLE THING OUT AND PUT IT ON HER. THE GIRL TOLD HER MOTHER THAT THIS HAPPENED FIVE (5) TIMES.

I CONTACTED MS. JOHNSON AND SHE AGREED TO LET HER DAUGHTER BE INTERVIEWED. THE MOM MISSED THE APPOINTMENT FOR DECEMBER THIRTIETH (30TH). THE APPOINTMENT WAS RESCHEDULED. THE MOM MISSED THE SECOND ONE. THEN SHE CALLED ME AND SAID THAT SHE'D JUST BEEN REALLY BUSY OVER THE HOLIDAYS AND WOULD TRY AGAIN TO MAKE THE APPOINTMENT. THE GIRL AND HER MOTHER CAME TO THE STATION ON ONE, EIGHT, ZERO-FOUR (1/8/04) AT SIXTEEN-THIRTY (16:30) HOURS.

I EXPLAINED TO THE MOTHER THAT I WAS GOING TO INTERVIEW HER DAUGHTER AND ASKED HER TO WAIT IN THE WAITING AREA. [redacted] APPEARED TO BE A PERFECTLY HEALTHY, WELL DEVELOPED FOUR (4) YEAR OLD. SHE ENGAGED ME IN CONVERSATION ON THE WAY UP THE ELEVATOR AND APPEARED TO BE AVERAGE, IF NOT ABOVE AVERAGE IN INTELLIGENCE AND HEAR USE OF LANGUAGE.

THE INTERVIEW TOOK PLACE IN THE INTERVIEW ROOM IN OUR UNIT ON THE THIRD (3RD) FLOOR. THE TWO OF US SAT AT A TABLE IN THE ROOM. I STARTED THE INTERVIEW BY TELLING [redacted] THINGS ABOUT MYSELF IN A RAPPORT BUILDING EXERCISE. I THEN ASKED HER,

DETECTIVE: WHO LIVES IN YOUR HOUSE?

[redacted]: I LIVE WITH MY MOMMY.

I USED A PIECE OF BLANK PAPER AND DREW A CIRCLE WITH A FACE ON IT FOR [redacted]. I DREW A CIRCLE WITH A FACE ON IT FOR HER MOMMY.

OFFICER REPORTING: J. JENSEN
OFFICER NAME/SERIAL NO.: J. JENSEN #128
DATE: 1-2-04
TIME: 784
APPROVED BY: [illegible] 128

DISTRIBUTION: ☐ PA ☐ OPS ☐ HD ☐ DET ☐ ADMIN ☐ DRUG ☐ MH ☐ PAT ☐ OTHER
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DETECTIVE I ASKED [redacted] IF ANYONE CLSE LIVED IN HER HOME

[redacted] HER NANNA

AS I DREW THE FACE WITH THE NANNA, SHE STARTED TALKING ABOUT HER NANNA LIVING FAR AWAY, AND SHE TOLD ME HER NANNA WAS HER GRANDMOTHER I EXPLAINED TO HER I WANTED TO KNOW WHO LIVED WITH HER

[redacted]: MYSELF AND MY MOMMY

DETECTIVE DO YOU KNOW WHY YOU ARE HERE?

[redacted] NO

DETECTIVE DID ANYONE TELL YOU WHAT TO SAY TO ME, TODAY?

[redacted] NO.

DETECTIVE HAS ANYONE EVER TOUCHED YOU IN A WAY YOU DON'T LIKE?

[redacted] NO

I THEN INTRODUCED TWO SKETCHES OF A LITTLE BOY AND A LITTLE GIRL. THE SKETCHES WERE OF CHILDREN OF AFRICAN-AMERICAN DESCENT. I THEN REFERRED TO THE LITTLE GIRL SKETCH AND ASKED HER TO TELL ME WHAT THE DIFFERENT PARTS OF THE BODY WERE SHE GOT FACE, EYES, EYEBROWS, NOSE, MOUTH, SHOULDER, ARM, WRIST, HAND, LEG, TOE CORRECT I THEN POINTED TO THE NIPPLES ON THE DIAGRAM. SHE ACTED LIKE SHE WAS EMBARRASSED, SAID I DON'T REMEMBER WHAT THOSE ARE CALLED I POINTED TO THE BELLYBUTTON SHE SAID THAT WAS A BELLYBUTTON I THEN POINTED TO THE VAGINAL AREA, AND ASKED IF SHE KNEW WHAT THAT WAS CALLED SHE PUT HER HAND OVER HER FACE, ACTING EMBARRASSED, AND SAID I DON'T REMEMBER WHAT THAT'S CALLED I THEN POINTED TO THE BOTTOM, OR BUTTOCKS PART OF THE DRAWING SHE SAID THAT WAS CALLED THE BOTTOM

I THEN INTRODUCED THE DIAGRAM OF THE LITTLE BOY, AND ASKED IF SHE KNEW WHAT WAS DIFFERENT ON THE DIAGRAM. SHE KINDA COVERED HER FACE AND THEN POINTED TO THE LITTLE BOY'S PENIS I ASKED IF SHE KNEW WHAT THAT WAS CALLED SHE KEPT HER FACE COVERED AND SAID, NO, I DON'T REMEMBER SHE SAID, "GIRLS DIDN'T TOUCH THIS, FATHER"

DETECTIVE [redacted] HAVE YOU SEEN SHEM AND OTHER BOY'S PENIS BEFORE?

[redacted] A BOY NAMED PAUL HE HAS ONE OF THESE [illegible] ON MY PRIVATES, ON THE BED HE DID, AT [redacted] HOUSE. [illegible] TO LIVE WITH [redacted] SHE'S A BLACK GIRL. TAMMY IS [redacted] MOTHER AND [redacted] THE DAUGHTER

I certify (or declare) under penalty of perjury under the laws of the state of Washington that the foregoing is true and correct. SIGNED AT

OFFICER SIGNATURE: J JENSEN		DATE: 1-23-04	
OFFICER NAME/NUMBER: J JENSEN #138		TIME: 1:24	APPROVAL SIGNATURE
DISPOSITION: ( ) ARR/A ( ) ARR/J ( ) EXC/A ( ) EXC/J	DISPOSITION: ( ) PA ( ) ADMIN ( ) OPS ( ) DEPT ( ) INV ( ) DET ( ) INT ( ) RTI		DOCKET: DATE / INITIALS
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DETECTIVE: DID [illegible] ONE DAY OR MORE THAN ONE DAY?

A[redacted]: IT HAPPENED [illegible] (5) DAYS

DETECTIVE: DID ANYTHING EVER COME OUT OF PAIN'S [THEN I POINTED TO THE PICTURE OF THE PENIS, SINCE SHE HAD NOT GIVEN IT A NAME]?

A[redacted]: NO

A[redacted]: THEN STATED, ON HER OWN, "HE TOLD ME TO TASTE THIS. IT HAPPENED ONE TIME." SHE WAS POINTING TO THE BOY'S PENIS WHEN SHE SAID "THIS."

DETECTIVE: DID YOU TOUCH IT?

A[redacted]: NO. I DIDN'T TOUCH IT.

DETECTIVE: HE TOLD YOU TO TASTE THIS [AND I POINTED TO THE PENIS]. TELL ME MORE ABOUT THAT.

A[redacted]: IT'S CALLED A POO POO. IT HAPPENED ONE DAY. IT'S BLACK.

DETECTIVE: TELL ME MORE.

A[redacted]: WE WERE IN A BATHROOM. HE WAS STANDING RIGHT THERE, BY THE SHOWER [SHE TURNED AND POINTED TO THE FAR WALL OF THE INTERVIEW ROOM]. HE SAID, TASTE THIS. HE SAID, TASTE IT. ONLY THE TWO OF US WERE THERE. WE CAME OUT OF THE BATHROOM WHEN M[redacted] CAME HOME FROM THE STORE.

THEN WE WENT INTO THE BEDROOM AND HE PUT HIS POO POO ON M[illegible]

DETECTIVE: DID HE TOUCH YOU ANYWHERE ELSE?

A[redacted]: HE SITS ON ME AND BOUNCES WHEN HE PUTS HIS POO POO ON ME.

DETECTIVE: DID HE TELL YOU WHAT TO SAY?

A[redacted]: THEN LAUNCHED INTO SOME STATEMENTS ABOUT BEING AFRAID AND SAYING THAT SHE CANNOT TELL ME. I ASKED HER A COUPLE OF DIFFERENT TIMES WHAT HE SAID TO HER AND SHE WOULD SAY EVERY TIME, "I'M AFRAID" AND COVER HER FACE.

DETECTIVE: MAYBE YOU CAN TELL YOUR MOM LATER?

A[redacted]: NO. I CAN'T. I'M AFRAID.

I certify (or declare) under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct. [illegible]

OFFICER SIGNATURE	DATE	
JT JENSEN	1-23-04	
OFFICER NO. / NAME PRINTED: J. JENSEN #[illegible]	TIME: [illegible]	PROSECUTOR'S OFFICE: [illegible]

FOR CLEARANCE: () ABR/A () ABR/J	() NO TARGETED () LYC/A () EXC/J	DATABASE: () PA () SPC () DOB	() WW () WD () PH	() TRAK () DIST () PAT	PROBE	SCREENED: DATE / INITIALS

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[illegible]

DETECTIVE [illegible]

A [redacted] I [illegible] STUCK

DETECTIVE. [illegible] YOU TOLD [illegible]

A [redacted] IT [illegible] COVERED HER [illegible] ACL, TURNED AWAY FROM ME A LITTLE BIT. IT WAS HARD FOR ME TO KEEP TRACK OF EVERYTHING THAT SHE WAS DOING AT THAT MOMENT BECAUSE SHE WAS MOVING VERY QUICKLY, BUT SOME OF HER BODY LANGUAGE GAVE ME THE IMPRESSION THAT HIS PENIS MAY HAVE BEEN CLOSE TO HER FACE. IT WAS JUST BY THE WAY SHE SCRUNCHED UP HER FACE, MOVED HER HEAD SIDE-TO-SIDE LIKE SHE WAS RECOILING IN DISGUST FROM THE INCIDENT

DETECTIVE DID PAUL'S PENIS TOUCH YOUR FACE?

A [redacted] NO

DETECTIVE DID HE TRY TO TOUCH YOU WITH HIS PENIS?

A [redacted] NO, BUT IT GOT THIS CLOSE [redacted] MADE A CURVING MOTION WITH HER HAND AND BROUGHT HER HAND UP IN FRONT OF HER MOUTH LESS THAN AN INCH AWAY

DETECTIVE DID YOU TOUCH HIS POO POO?

A [redacted] NO I TOLD YOU I DIDN'T. HE USUALLY PUTS HIS POO POO INSIDE HERE (SHE POINTED TO HER VAGINAL AREA) [redacted] PUTS HIS POO POO IN MY PEE PEE

DETECTIVE DID IT HURT?

A [redacted] I DIDN'T LIKE IT

DETECTIVE. WHO IS [redacted]

A [redacted] MY FRIEND WHO LIVES FAR AWAY

DETECTIVE HOW OLD IS [redacted]

A [redacted] HE IS SIX (6)

DETECTIVE TELL ME MORE ABOUT [redacted]

I certify (or declare) under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct. (RCW 9A.72.085)

OFFICER SIGNATURE: J JENSEN

DATE

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[redacted] WE WERE HIDING IN MY CLOSET. MY [illegible] JUST MY MOMS GOING TO FIND US

[redacted] WENT ON TALKING ABOUT CLIMBING OUT A WINDOW WITH [redacted], AND I [illegible] TO TAKE NOTES BECAUSE SHE WAS TALKING SO QUICKLY. I TOLD HER I WANTED TO TALK MORE ABOUT PAUL AND NOT TALK ABOUT [redacted] ANYMORE

DETECTIVE DID PAUL TOUCH YOU WITH HIS TONGUE ANYWHERE?

[redacted] YOU MEAN, DID HE LICK ME?

DETECTIVE YES, DID PAUL LICK YOU?

[redacted] NO. HE JUST PUT HIS POO POO IN MY PEE PEE

DETECTIVE DID PAUL TAKE ANY PICTURES OF YOU WITH A CAMERA?

[redacted] NO.

DETECTIVE DID PAUL SHOW YOU ANY PICTURES LIKE IN A MAGAZINE, OF SOMEONE WITH THEIR CLOTHES OFF?

[redacted] NO

DETECTIVE IS THERE ANYTHING ELSE YOU FORGOT TO TELL ME? IS THERE ANYTHING ELSE YOU FEEL I SHOULD KNOW?

[redacted] LET ME THINK.

[redacted] THEN PAUSED FOR A MOMENT. THEN SHE TURNED TO ME AND SAID,

[redacted] HE ACTUALLY HAS LICKED ME

DETECTIVE WHERE, DID PAUL LICK YOU?

[redacted] THEN POINTED TO THE DRAWING SHOWING THE LITTLE GIRL AND SAID,

[redacted] HE LICKED ME HERE [PEOPLE NOTE TO THE NECK]

DETECTIVE DID HE LICK YOU ANYWHERE ELSE?

[redacted] HE LICKED ME HERE [POINTING TO THE NIPPLES].

DETECTIVE: DID HE LICK YOU ANYWHERE ELSE?

I hereby certify under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct. (RCW 9A.72.085)

OFFICER SIGNATURE: J. JENSEN	DATE: 1-23-04	
OFFICER DESIGNATION: J. JENSEN #136	TIME: 784	SUPERVISOR DESIGNATION
PER CLEARANCE INFORMATION: ( ) ABUSE/A ( ) PBR/I ( ) SEX/A ( ) SXC/I	DISPOSITIONS: ( ) UNF ( ) TR J ( ) PT ( ) CPS ( ) JD ( ) DOT ( ) CAMP ( ) DYFS ( ) MH ( ) PHT	OTHER: LOCATING DATE / TIME
DNA SAMPLE: ___ / ___ DATE / TIME	CONTACTED WARRANTS / WCIC: ___ / ___ DATE / TIME	CLEARANCE / WCIC: ___ / ___ DATE / TIME

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[illegible]

A[redacted] AND, HE LICKED ME HERE [POINTING TO [illegible]

AS I WAS WRITING MY NOTES, A[redacted] CONTINUED.

A[redacted] ACTUALLY, I DID LICK HIS POO POO, PICKED HER [illegible] TO [illegible] PENIS, AND CONTINUED. [illegible] ACTUALLY LICKED ME INSIDE [illegible] GIRL GOOD, BUT I DON'T LIKE IT NOW.

DETECTIVE: HOW MANY TIMES DID YOU LICK PAUL'S POO POO?

A[redacted]. FIVE (5) TIMES

DETECTIVE: CAN WE TALK AGAIN IF WE NEED TO?

A[redacted] YES.

I THEN EXCUSED A[redacted] FROM THE INTERVIEW AND WENT AND TALKED TO HER MOTHER. HER MOTHER TOLD ME A[redacted] STAYED WITH PAUL STOOT AND HIS FAMILY. THE SUSPECT IS NAMED PAUL STOOT, AND SO IS HIS FATHER. THEY LIVE IN VALLEYVIEW. SHE STAYED WITH THEM FROM JUNE OF TWO-THOUSAND AND TWO (2002) UNTIL SEPTEMBER OF TWO-THOUSAND AND TWO (2002). SHE EXPLAINED THAT THIS WAS BECAUSE SHE WAS HAVING PROBLEMS FINANCIALLY, AND THEY HELPED HER OUT BY TAKING A[redacted] SO SHE COULD GO TO SCHOOL. IN SEPTEMBER, A[redacted] MOVED TO HER PATERNAL GRANDPARENTS IN NEVADA UNTIL MAY OF TWO-THOUSAND AND THREE (2003). FROM MAY OF TWO-THOUSAND AND THREE UNTIL PRESENT SHE HAS BEEN LIVING WITH HER MOTHER.

THE GRANDPARENTS, IN RENO, ARE GREG AND JANICE BROWN. NICKEY TOLD ME THAT HER FORMER HUSBAND, COREY BROWN, LIVES SOMEPLACE IN RENO, BUT SHE DOES NOT HAVE ANY CONTACT WITH HIM.

NICKEY TOLD ME THAT PAUL STOOT HAS A SON, PAUL, WHO IS FOURTEEN (14) OR FIFTEEN (15), A DAUGHTER, AN[redacted] WHO IS EIGHTEEN (18), AND HIS WIFE, [illegible].

ON TUESDAY, 04/13/04, I CONTACTED THE LAKE TED SCHOOL DISTRICT LOCATED ON THE SCHOOL THAT PAUL JR ATTENDED. I CONTACTED AN ADMINISTRATOR AT MARGER HIGH SCHOOL, WHO SAID PAUL STOOT JR DID NOT ATTEND HER SCHOOL. SHE WAS AWARE OF PAUL SR, THE MINISTER, AND TOLD ME THAT HE WAS AT HER SCHOOL REGULARLY DEALING WITH STUDENTS IN FOSTER CHILDREN.

I WAS SENT TO THE HEAD OFFICE FOR MORE INFO, WHERE I WAS TOLD THAT PAUL JR ATTENDED VOYAGER MIDDLE SCHOOL AS AN OUT OF DISTRICT VARIANCE.

[illegible]

OFFICER SIGNATURE: J. JENSEN
OFFICER NAME/RANK: J. JENSEN #204
DATE: 1-23-04
[illegible]
SPI CLEARANCE: ( ) ARR / A ( ) ARR / J ( ) EXO / A ( ) EXO / J
DISPOSITION CODE: ( ) PA ( ) OPS ( ) ADMIN ( ) JUV ( ) MD ( ) DSHS ( ) TRAN ( ) DET ( ) PAT
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I WAS UNAWARE THAT PAUL SR WAS POSSIBLY A [illegible] THE EVE. MORNING, I WENT TO CPS AT 840 N BROADWAY, AND INQUIRED IF PAUL STOOT SR WAS / [illegible] I LEARNED HE WAS NOT A FOSTER PARENT, BUT WAS THE LICENSEE FOR A DAYCARE AT HIS CHURCH AT 112TH AND 4TH AVE W. I MADE A CPS REFERRAL BECAUSE PAUL SR WAS POSSIBLY AT THE DAYCARE AND WAS A SUSPECT IN A RAPE OF A CHILD [illegible]

I THEN WENT TO DLR, THE DEPARTMENT THAT HANDLES DAYCARE LICENSING [illegible] KAREN CRAMER AND TOLD HER I WAS MAKING A CPS REFERRAL ON PAUL STOOT SR.

CRAMER AGREED HER OFFICE WOULD NOT TAKE ANY ACTION UNTIL I INTERVIEW THE SON IN THE NEXT DAY OR TWO

I WAS THEN INFORMED THAT THE POLICE ADMINISTRATION HAD BEEN BRIEFED ON MY CASE, AND THE CHIEF WAS REQUESTING I HOLD OFF UNTIL HE WAS BACK IN TOWN ON TUESDAY, 01/20/04

I CONTACTED CRAMER, AND HER INVESTIGATORS, AND ASKED THEM TO HOLD OFF UNTIL TUESDAY. THEY CONTACTED THEIR LEGAL COUNSEL, THE AG'S OFFICE, WHO FELT THIS WAS TOO LONG TO HAVE THE RISK OF PAUL JR. HAVING POSSIBLE ACCESS TO THE DAYCARE CHILDREN. I WAS CALLED BY KIM MALLEKA, ONE OF THE INVESTIGATORS, AND I PUT HER IN CONTACT WITH MY SGT

I WAS LATER TOLD TO INTERVIEW PAUL JR. THE NEXT DAY AT SCHOOL.

AT APPROX 0830, THE MORNING OF 01/15/03 I PHONED VOYAGER MIDDLE SCHOOL, AND TALKED TO THE SCHOOL PRINCIPAL, BRYNELSON. I TOLD HER I WAS COMING TO INTERVIEW A VOYAGER STUDENT. SHE ASKED IF SHE NEEDED TO CONTACT THE CHILD'S PARENTS. I SAID THAT I WOULD CONTACT THE PARENTS AFTER THE INTERVIEW. SHE ASKED IF I NEEDED A PLACE TO INTERVIEW THE CHILD ALONE. I SAID IF THAT WAS OKAY, THAT WOULD BE FINE

WHEN I ARRIVED AT THE SCHOOL, BRYNELSON WAS OUT OF THE BUILDING. I TALKED TO MR. BAILEY, THE ASSISTANT PRINCIPAL. HE TOLD ME HE HAD BEEN BRIEFED TO PROVIDE ME A ROOM TO TALK TO A STUDENT. I TOLD HIM I WANTED TO TALK TO PAUL STOOT JR., AND HE SAID HE WOULD GO AND GET HIM FOR ME. I WAS GIVEN THE PRINCIPAL'S OFFICE TO CONDUCT THE INTERVIEW

STOOT CAME TO THE PRINCIPAL'S OFFICE, AND I INTRODUCED MYSELF AND SAID I WANTED TO TALK TO HIM. HE SAID OKAY. I SAT DOWN WITH HIM AT A SMALL TABLE, AND PRODUCED A RIGHTS FORM. I EXPLAINED I WAS REQUIRED TO READ HIS RIGHTS BEFORE I COULD TALK TO HIM. HE SHOOK HIS HEAD UP AND DOWN. I READ HIS RIGHTS TO STOOT, AND HE SIGNED THE FORM TO INDICATE THAT HE UNDERSTOOD, AND SIGNED THAT HE WAS WILLING TO TALK TO ME

I FIRST ASKED ITM WHERE HE LIVED, AND WHO HE LIVED WITH. HE TOLD ME HIS MOM TAMMIE, HIS DAD PAUL SR., AND HIS SISTER [redacted]. I TOLD HIM THAT I WAS INVESTIGATING A CASE INVOLVING A [redacted], AND TOLD HIM SHE HAD BEEN THREE WHEN SHE STAYED AT HIS HOME. HE SAID HE REMEMBERED HER, AND SAID, "WAS SHE LIGHT SKINNED?" I SAID, "YES."

I certify (or declare) under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct. (RCW 9A.72.085)

OFFICER SIGNATURE		DATE
J JENSEN		1 22 01
OFFICER NAME/NUMBER: J JENSEN #136		UNIT: TCA

INCIDENT/REPORT NUMBER	DISPOSITION	VICTIM
( ) AHU/A ( ) DOD/A ( ) ARR/J ( ) EXC/J	( ) JUV ( ) TBAR ( ) PA ( ) HD ( ) ORT ( ) ARLN ( ) DPS ( ) MH ( ) PAT	DATE / INITIALS

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See Order dismissing claims of Burton

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I TOLD HIM I WAS INVESTIGATING ALLEGATIONS HE HAD TOUCHED A[redacted]. HE SAID HE DID NOT TOUCH HER. HE SAID SHE WAS TRYING TO TOUCH HIM AT TIMES. I TOLD HE ABOUT HIS SPANKING HER HAND WHEN SHE TRIED TO TOUCH HIM. HE SAID ONCE SHE TRIED TO TOUCH HIM IN FRONT OF A[redacted], HIS SISTER. HE SAID HIS SISTER AND A[redacted] SPANKED A[redacted]. HE ALSO INDICATED THEY HAD TOUCHED HIM ON THE OUTSIDE OF HIS CLOTHING, BUT HE HAD NOT WANTED THIS CONTACT.

PAUL TOLD ME THAT ONCE A[redacted] CAME INTO THE BATHROOM WHEN HE WAS URINATING, AND SHE CAME UP AND TOUCHED HIS PENIS. HE SAID SHE WAS DISGUSTED BY HIS PENIS, AND SAID IT WAS GROSS. HE SAID HE DID NOT WANT HER TO TOUCH HIM. HE SAID HE PUT HIS PENIS BACK IN HIS PANTS, AND THEN THEY WENT INTO HIS SISTER'S ROOM. THAT WAS WHEN SHE TRIED TO TOUCH HIM AGAIN, AND A[redacted] SPANKED HER. (AS HE NOTED IN THE PREVIOUS PARAGRAPH.)

I ASKED HIM IF HE EVER WATCHED A[redacted] BY HIMSELF. HE SAID THAT HE DID A COUPLE OF TIMES. HE SAID THAT HIS MOM AND DAD WOULD BE AT WORK, AND HIS SISTER AND A[redacted] WOULD BE IN THE HOUSE ALL DAY WITH A[redacted]. HE SAID A COUPLE OF TIMES, AN[redacted] WOULD LEAVE, AND HE WOULD WATCH A[redacted] BY HIMSELF.

I ASKED HIM IF HE EVER TOUCHED A[redacted] WITH HIS PENIS. I TOLD HIM SHE SAID THAT HIS PENIS TOUCHED HER VAGINAL AREA. HE DENIED THIS AND SAID HE HAD NEVER TOUCHED HER WITH HIS PENIS. HE SAID SEVERAL TIMES THAT HE NEVER UNDID HIS PANTS EXCEPT FOR THAT TIME IN THE BATHROOM WHEN SHE WALKED IN ON HIM.

PAUL TOLD ME THAT A[redacted] WOULD SIT ON HIS LAP, AND MOVE AROUND ON HIM. HE SAID SHE WOULD TELL HIM THAT IT FELT GOOD. HE SAID THIS HAPPENED FIVE OR SIX TIMES. HE SAID THAT HE WOULD TELL HER TO STOP, AND MOVE HER OFF OF HIM.

PAUL THEN TOLD ME THAT HE DID NOT TELL HIS PARENTS ABOUT A[redacted] TOUCHING HIM. HE SAID THAT IT WAS NOT THAT SERIOUS. HE SAID IT DID NOT GET TO THE POINT OF HIS TELLING THEM. HE SAID SOMETHING ABOUT NOT WANTING THEM TO WATCH HIM ALL THE TIME TO MAKE SURE HE WAS NOT WITH A[redacted]. DURING THE COURSE OF THE INTERVIEW, HE MENTIONED NOT TELLING HIS PARENTS A COUPLE OF TIMES.

I ASKED PAUL WHY A[redacted] WOULD SAY HE HAD TOUCHED HER VAGINAL AREA. HE SAID HE HAD NO IDEA WHY, BUT THAT HE HAD NOT TOUCHED HER.

HE THEN SAID, "SHE TOLD MY SISTER PAUL TOUCHED ME WITH HIS 'COOPOO'." HE TOLD ME THAT HE WAS NOT SURPRISED THAT SHE HADN'T DONE ABOUT WHAT HAPPENED, BECAUSE SINCE SHE HAD TOLD HIS SISTER, HE FELT SHE WOULD PROBABLY TELL SOMEONE ELSE SOMEDAY. HE SAID HE FIGURED IT WOULD COME OUT SOMETIME. I GOT THE IMPRESSION THAT HE WAS NOT SURPRISED THAT I WAS THERE TO TALK TO HIM.

I ASKED HIM ABOUT A[redacted] SAYING HIS POOPOO HAD TOUCHED HER, AND ASKED IF HE HAD NOT TOUCHED HER WITH HIS POOPOO OR PENIS. I TOLD HIM SHE HAD TOLD ME THE SAME THING. I TOLD HIM SHE HAD SAID THE CAUSE I THINK TO HER MOTHER WHEN IT WAS DISCOVERED A[redacted] WAS

I certify (or declare) under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct. (RCW 9A.72.085)

[illegible] J. JENSEN	DATE 1-22-01	
OFFICER NAME/NUMBER J. JENSEN #[illegible]	PREP TIME	ATTORNEY [illegible]
( ) ABR/A ( ) ABR/J ( ) EXD/A ( ) EXD/J	DISTRIBUTIONS ( ) PA ( ) ADMIN ( ) CPS ( ) DSHS ( ) JUV ( ) HS ( ) MH ( ) TRAT ( ) DET ( ) PAT ( ) OTHER	DATE INITIALS
CLIENT NOTIFIED DATE INITIALS	CONTROLLED WACIC INFO DATE INITIALS	CLEARED WACIC INFO DATE INITIALS

Second Supplemental Disclosure of Discovery Documents

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[illegible]

PLAYING WITH HIS HEAD. HE DENIED [illegible] WITH HER. I WAS NEVER DISCUSSING THIS ALLEGATION WITH HIM. IF WHEN I SPOKE HIM IN ADVANCE AND DOWN AGREE WITH ME, WE'D NEED TO BE GROUNDED BEFORE WE'LL, AND I TOLD HIM I DON'T [illegible] HE KEPT DENYING.

I THEN BROUGHT UP THAT [redacted] SAID HE HAD LICKED HER. HE DENIED LICKING HER. HE SAID HER SHE LICKED HIM ON THE CHEEK, BUT SHE DID NOT LICK HIM ANYWHERE ELSE. I TOLD HIM SHE SAID SHE TASTED HIS POOPOO. HE DENIED THIS. I ASKED IF HE LICKED HER VAGINAL AREA. HE DENIED IT.

I THEN TOLD PAUL I ELT HE HAD IN FACT TOUCHED [redacted] VAGINAL AREA, AND SHE HAD TOUCHED HIM. I SPENT SOME TIME DISCUSSING THE ALLEGATIONS, AND TRYING TO GET HIM TO ADMIT TO THEM. I TOLD HIM SHE HAD BEEN SEXUALLY AGGRESSIVE WITH HIM, AND HE HAD BEEN ONLY TWELVE. HE COULD HAVE EASILY GONE ALONG WITH HER. HE WOULD SHAKE HIS HEAD AND AGREE WITH ME, BUT HE WAS STILL DENYING THE ALLEGATIONS.

DURING MY TALKING WITH HIM, HE SAID THAT SHE HAD ASKED HIM TO TOUCH HER. HE SAID, "SHE SAID, 'PUT YOUR POOPOO RIGHT HERE.'" HE INDICATED SHE WAS REFERRING TO HER VAGINAL AREA. HE SAID SHE ALSO ASKED HIM, "TOUCH ME RIGHT HERE." HE ALSO SAID SHE ASKED HIM TO LICK HER. HE DENIED LICKING HER AGAIN, AND DENIED TOUCHING HER WITH HIS POO-POO.

HE SAID SHE KISSED HIM ON THE CHEEK, AND ON HIS NECK. HE SAID SHE LICKED HIS CHEEK, BUT NO WHERE ELSE.

DURING MY DISCUSSIONS WITH HIM, HE SAID ON TWO OCCASIONS, THAT [redacted] HAD BEEN TOO SMALL FOR HIM TO BE INTERESTED IN HER. HE SAID THAT IF SHE HAD BEEN ATIME, OR SIX, OR SEVEN YEAR OLD, OR MAYBE A TALL FOUR YEAR OLD, HE WOULD HAVE BEEN INTERESTED.

I ASKED PAUL WHAT HIS EARLIEST SEXUAL MEMORY WAS. HE SAID THAT WHEN HE WAS IN KINDERGARTEN, HE HAD HIS COAT ON, AND HE WENT INTO HIS PARENTS ROOM TO ASK IF HE COULD GO OUTSIDE. HIS PARENTS WERE HAVING SEX.

HE ALSO TOLD ME THAT WHEN HE WAS NINE, HE WAS AT HIS FRIEND'S HOUSE WHO WAS 12. THE FRIEND'S 11 YEAR OLD STEP SISTER CAME IN AND TOOK OFF HER CLOTHES, AND HAD HIM HAVE SEX WITH HER. HE SAID THAT HE DID NOT KNOW WHAT TO DO, BUT SHE TOLD HIM TO GET ON TOP OF HER AND TOLD HIM WHAT TO DO. HE SAID THAT THEN HIS FRIEND HAD SEX WITH HIS STEP SISTER. HE SAID THAT WAS GROSS, HAVING SEX WITH YOUR SISTER. HE SAID HE DID NOT KNOW IF HIS PENIS WENT INSIDE OF THE GIRL OR NOT.

I ASKED PAUL ABOUT PORNOGRAPHY, AND HE SAID HIS PARENTS HAD DIGITAL CABLE, AND SOME OF THE SHOWS SHOWED MAKE-BELIEVE HAVING SEX, BUT NO PENETRATION WAS SHOWN.

I ASKED PAUL ABOUT THE GIRL HE HAD THAT SAID HE HAD KISSED A GIRL, AND TRIED TO PUMP HER IN 1991. HE COULD NOT REMEMBER THAT INCIDENT. HE HAD BEEN NINE OR SIX AT THE TIME.

I solemnly swear (or affirm) that the foregoing statement is true and correct. (PCW 9A.72.085)

OFFICER SIGNATURE	DATE
1-23-04 Ed JENSEN	
OFFICER NAME/RANK J. JENSEN #134	DATE 7/04

HIS CLEARANCE IS THE SAME AS	PERTINENT	OTHER	LOCATION
( ) ADR / A ( ) RTO / A ( ) ADR / J ( ) RTO / J	( ) PA ( ) OPA ( ) HR ( ) JCT ( ) SRAM ( ) DSHS ( ) MH ( ) MT		DATE / SIGNATURE

Contacted by: _____ DATE / INITIALS CONTACTED WADOC / RCW _____ DATE / INITIALS RELEASED WADOC / RCW _____ DATE / INITIALS

Second Supplemental Production of Discovery Documents is authorized

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I THEN ASKED HIM IF HE EVER GOT AN ERECTION WHEN A[redacted] WAS ON HIM. HE SAID THAT HE DID GET AN ERECTION A FEW TIMES. WHEN I AGAIN BROUGHT UP THE ALLEGATIONS, HE SAID, FOR THE THIRD TIME, THAT IF SHE HAD BEEN A FIVE, OR SIX, OR SEVEN YEAR OLD, HE WOULD HAVE RESPONDED. I TOOK THIS TO MEAN HE WOULD HAVE HAD AN ERECTION FROM THE CONTACT.

I KEPT TALKING TO HIM ABOUT A[redacted] STARTING THE CONTACTS, AND ABOUT HER BEING SEXUALLY AGGRESSIVE. I KEPT TELLING HIM THAT IT WOULD HAVE BEEN NORMAL FOR HIM TO RESPOND TO HER TOUCHING HIM. HE WAS AGREEING WITH ME BY SHAKING HIS HEAD UP AND DOWN. HE WOULD SAY, "I CAN SEE THAT." AT ONE POINT HE SAID, "IF I DID DO IT," HE THEN STOPPED MID-SENTENCE, AND DENIED THE ALLEGATIONS AGAIN.

I KEPT TALKING TO HIM, AND I FINALLY SAID, "YOU TOUCHED HER VAGINA WITH YOUR FINGERS, DON'T YOU." HE SAID, "YES." I ASKED, "HOW MANY TIMES?" HE SAID, "THREE TIMES ON HER VAGINA." HE SAID, "SHE WOULD LIE BACK AND CLOSE HER EYES, AND SAY, 'THAT FEELS GOOD.'"

I THEN ASKED HIM ABOUT HER SITTING ON HIS LAP. HE ADMITTED THAT SHE WOULD SIT ON HIS LAP, AND MOVE BACK AND FORTH, AND HE WOULD GET AN ERECTION, AND HE WOULD LET HER KEEP DOING IT BECAUSE IT FELT GOOD. HE SAID THIS HAPPENED A FEW TIMES.

I WENT OVER THE OTHER ALLEGATIONS AGAIN. THE ORAL SEX ON HER, THE ORAL SEX ON HIM, THE RUBBING OF HIS PENIS ON HER VAGINA AND BUTTOCKS. HE WOULD SHAKE HIS HEAD UP AND DOWN WHILE I WAS TALKING, BUT HE DENIED THESE ALLEGATIONS AGAIN. HE REPEATED THAT HE HAD TOUCHED HER VAGINA WITH HIS FINGERS.

I ASKED HIM TO WRITE ME A STATEMENT, AND HE WROTE A TWO PAGE STATEMENT IN MY PRESENCE. I STOOD UP AND WALKED AROUND THE ROOM WHILE HE WROTE, AND DID NOT INTERACT WITH HIM UNTIL HE FINISHED THE ENTIRE STATEMENT. I REVIEWED THE STATEMENT. I FOUND WHERE HE SAID HE TOUCHED A[redacted] ONE TIME ON HER VAGINA. IT HAD BEEN MY RECOLLECTION HE SAID HE TOUCHED HER THREE TIMES ON HER BARE SKIN. I ASKED HIM ABOUT THIS. HE SAID THAT HE TOUCHED HER THREE TIMES, BUT TWO WERE WHEN SHE WAS CLOTHED, AND ONE WHEN HER PANTS WERE DOWN. I ASKED HIM TO CLARIFY THIS BY ADDING A SENTENCE TO THE END OF HIS STATEMENT. HE WROTE, "RUBBED ON VAGINA 2 TIMES WITH CLOTHES ON THEN ONE TIME FOR A COUPLE OF SECOND WITH CLOTHES OFF."

I FAILED TO HAVE HIM SIGN THE STATEMENT. HE WAS ASKING QUESTIONS ABOUT WHAT WOULD HAPPEN NEXT, AND ABOUT TALKING TO HIS PARENTS.

I THEN ASKED HIM IF HE HAD TOUCHED ANYONE ELSE. HE SAID NO. I ASKED HIM IF HE EVER WENT TO THE DAYCARE. HE SAID NO. I SAID THE PARENTS AT THE DAYCARE WOULD BE NOTIFIED OF THE INVESTIGATION, AND WOULD BE ASKED IF ANYTHING HAD HAPPENED TO THEIR CHILDREN. HE SAID HE HAD NOT TOUCHED ANYONE AT THE DAYCARE, OR ANYWHERE ELSE FOR THAT MATTER.

I verify (or declare) under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct. (RCW 9A.72.085)

OFFICER SIGNATURE: J. JENSEN		DATE: 1-23-04	
PRINTED NAME/NUMBER: J. JENSEN 6136		UNIT: 734	APPROVED BY:
BAG CLEARED BY: ( ) AGP / A ( ) ARR / I	( ) BKD / A ( ) EXC / I	( ) JUV ( ) PA ( ) ADULT	( ) THEF ( ) DRT ( ) FIT
DISPOSITION: ( ) CPS ( ) DEIT	( ) HID ( ) MH		DATE / INITIAL
CONTROLLED BY: DATE / INITIALS	CONTROLLED WACID / MOD: DATE / INITIALS	CLEANED WACID / MOD: DATE / INITIALS	

Second Discussion Photocopy

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I TOLD HIM I WAS REQUIRED TO CONTACT HIS PARENTS. HE SAID HE WANTED TO TALK TO THEM FIRST. HE APPEARED WORRIED ABOUT WHAT I WOULD SAY TO THEM. HE CALLED HIS MOTHER AND SAID THERE WAS THIS GUY WHO HAD COME TO TALK TO HIM AND WANTED TO TALK TO HER. HE GAVE ME THE PHONE. I IDENTIFIED MYSELF, AND I TOLD MRS. STOOT THAT I WAS INVESTIGATING ALLEGATIONS OF SEXUAL TOUCHING OF A [redacted] BY HER SON PAUL JR. I TOLD HER I HAD JUST FINISHED TALKING TO HER SON, AND HE HAD WRITTEN ME A STATEMENT. SHE THANKED ME AND THE CALL WAS ENDED. I TOLD PAUL HE WOULD BE RELEASED TO HIS ADR

DURING THE INTERVIEW OF PAUL, THE BLINDS ON THE PRINCIPAL'S OFFICE WERE OPEN. ANYONE WALKING BY COULD HAVE SEEN WHAT WE WERE DOING. THE BLINDS ON THE OFFICE DOOR WINDOW WERE UP, AND I NOTICED SEVERAL PEOPLE WALKING BY AND LOOKING IN AT US. PAUL HAD HIS BACK TO THE DOOR, BUT I SAW A NUMBER OF PEOPLE LOOK IN, INCLUDING THE ASSISTANT PRINCIPAL, MR HAILEY

THERE WAS ALSO A FEMALE STUDENT WHO OPENED THE DOOR, LOOKING FOR THE PRINCIPAL. I TOLD HER THE PRINCIPAL WAS GONE.

I THEN ATTEMPTED TO CONTACT THE VICTIM AND HER MOTHER IN THIS CASE. I HAD LEFT A NOTE ON HER DOOR YESTERDAY. TODAY I FOUND THE NOTE GONE, AND LEFT ANOTHER ONE. I ALSO CALLED AND LEFT A MESSAGE ON HER HOME PHONE.

I WAS THEN CONTACTED BY THE SCHOOL WHO TOLD ME THAT PAUL STOOT SR. HAD COME TO THE SCHOOL AND YELLED AT THEM FOR ALLOWING MY INTERVIEW OF PAUL JR. HE WAS THREATENING TO SUE THEM AND HAD ALREADY HAD AN ATTORNEY CALL THEIR LOCAL. I WENT BACK TO THE SCHOOL, AND TALKED TO THE PRINCIPAL AND ASSISTANT PRINCIPAL. I REVIEWED THE LEGALITY OF MY ACTIONS WITH THEM, AND STRESSED THAT I DID NOT NEED THE PARENT'S PERMISSION TO TALK TO THEIR CHILD IF HE WAS 12 OR OLDER

I HAVE RECEIVED A PHONE MESSAGE FROM NICOLE JOHNSON, THE VICTIM'S MOTHER. SHE APPEARS DIFFICULT TO GET A HOLD OF. SHE SOUNDED PLEASED WITH WHERE THE INVESTIGATION WAS, AND WAS ANXIOUS TO TALK TO ME.

I WAS ABLE TO CALL HER BACK, AND I DISCUSSED WITH HER MY TALKING TO "[redacted]" AND THE "NEIGHBOR BOY". MS. JOHNSON TOLD ME THAT [redacted] PARENTS WERE HOMELESS IN THE WOODINVILLE AREA, AND SHE DID NOT KNOW HOW TO GET A HOLD OF THEM NOW. SHE SAID THE OTHER BOY WAS ONLY HALF, AND LIVED IN HER APARTMENT COMPLEX. SHE SAID SHE TOLD HIS PARENTS WHAT HAPPENED, AND THEY TOLD HER HE HAD NOT SAID ANYTHING TO THEM. HIS PARENTS HAD SEEN MS. JOHNSON LEAVE WITH HER DAUGHTER IN A HURRY, AND WONDERED WHAT HAPPENED. THEY ASKED THEIR SON WHAT HAPPENED, AND HE WOULD NOT SAY ANYTHING. MS. JOHNSON SHE WOULD HAVE THEM CALL ME, BUT IT DOES NOT APPEAR THE THREE YEAR OLD WILL BE ABLE TO SAY MUCH IF ANYTHING.

I ALSO DISCUSSED WITH HER THAT IT WOULD BE INAPPROPRIATE FOR THE STOOTS TO ATTEMPT TO CONTACT HER. SHE AGREED WITH ME.

I certify (or declare) under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct. (RCW 9A.72.085)

OFFICER NAME/NUMBER: J. JENSEN OFFICER NAME/NUMBER: 2 JENSEN #136	DATE: 1-03-04 SIGN: 734

NATURE OF DISPOSITION: ( ) ARR/A ( ) ARR/J	( ) BAD/A ( ) BAD/J	PROTECTIVE CODE: ( ) M ( ) ALPHA	( ) OPA ( ) DMV
( ) 90 ( ) 90	( ) 90 ( ) 90	( ) DEST ( ) PAT	

( ) PROTECTED BAND DATE / INITIALS ( ) MONITORED WACHE / MCIC DATE / INITIALS ( ) OL CARDED WACHE / MCIC DATE / INITIALS

Second Declaration of Nicole Johnson in Support of Motion for Summary Judgment

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[illegible]

I HAVE ALSO BEEN PROVIDED SOME AREAS [illegible] WHICH I HAVE THE EXAMINER [illegible]

ADDITIONAL FOLLOW-UP REMAINS TO BE DONE ON THIS CASE I AM STILL TRYING TO CONTACT THE PARENTS IN NEVADA MS JOHNSON NOT ONCE I KNOW HOW TO GET A HOLD OF THEM AS THE NUMBER IS DISCONNECTED

I STILL NEED TO CONTACT AN [redacted] SO I AM SHE CAN CORROBORATE PAUL'S STATEMENTS ABOUT A [redacted] TOUCHING HIM PAUL ALSO STATED A [redacted] TOLD AN [redacted] PAUL WAS TOUCHED

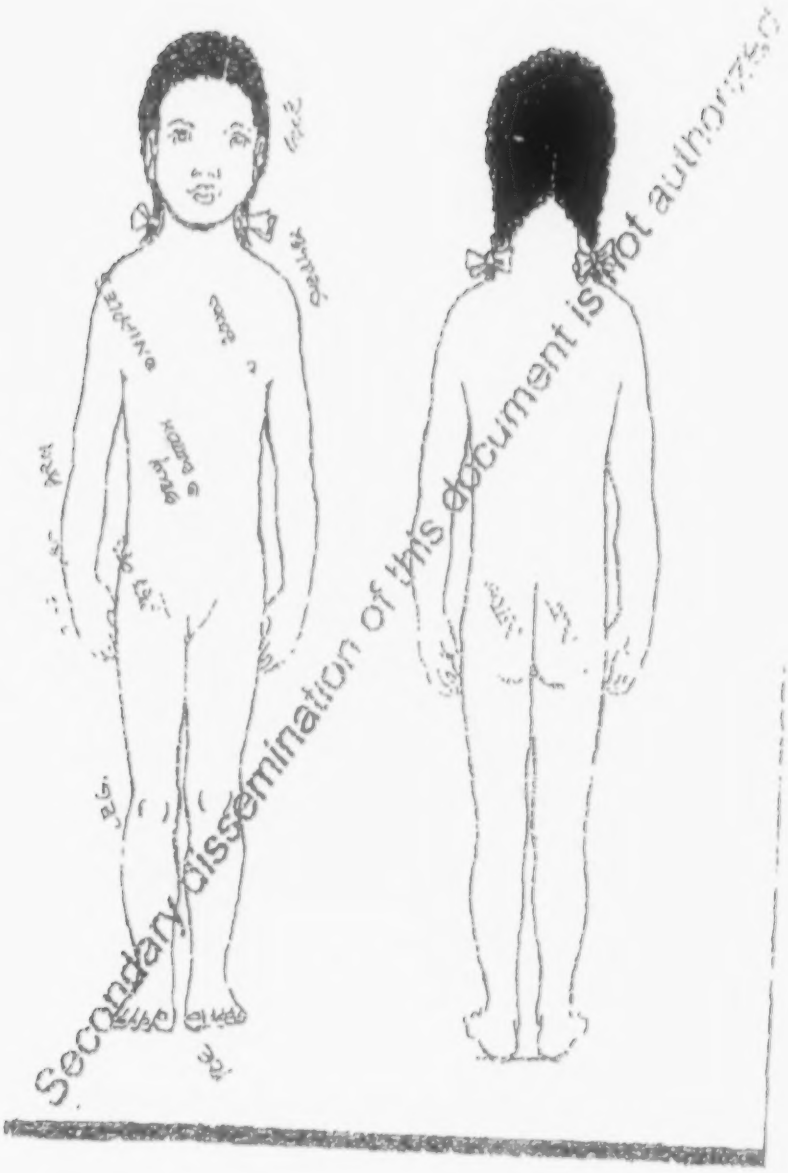
THE FAMILY HAS RETAINED AN ATTORNEY, MR MOODY HE TOLD ME THAT THE FAMILY HAS INFORMATION ABOUT THE GIRL THAT THEY FEEL WILL BE PERTINENT HE SAID THE GIRL WAS IN THE CHURCH DAYCARE FOR A FEW MONTHS BEFORE MOVING IN WITH THE STOOTS, AND ALLUDED TO HER HAVING SEXUAL BEHAVIORS OF SOME KIND I HAVE ARRANGED TO MEET WITH THEM AND MR MOODY THE RESULTS OF THAT MEETING WILL BE FORWARDED ASAP

THE REPORT TO DATE, WILL BE SENT TO THE PROSECUTOR'S OFFICE FOR THEIR REVIEW

Secondary dissemination of this document not authorized

I certify (or declare) under penalty of perjury, under the laws of the State of Washington, that the foregoing is true and correct. (RCW 9A.72.085)

72 HOUR ANNUAL TIME J JENSEN	DATE 1-23-04	
OFFICER NAME/NUMBER J JENSEN #138	TIME 784	APPROVED BY SUPERVISOR #118
DISPOSITION () ARR/A () PROB/A () ARR/J () PROB/J	DESTINATION () PA () CPS () JD () JFT () MTMY () DRES () SR () PAT	SIGNATURE DATE / SERIAL
CHILD SENT HOME DATE / SERIAL	CONTINUED WARRD / BOOD DATE / SERIAL	DELIVERED WARRD / BOOD DATE / SERIAL



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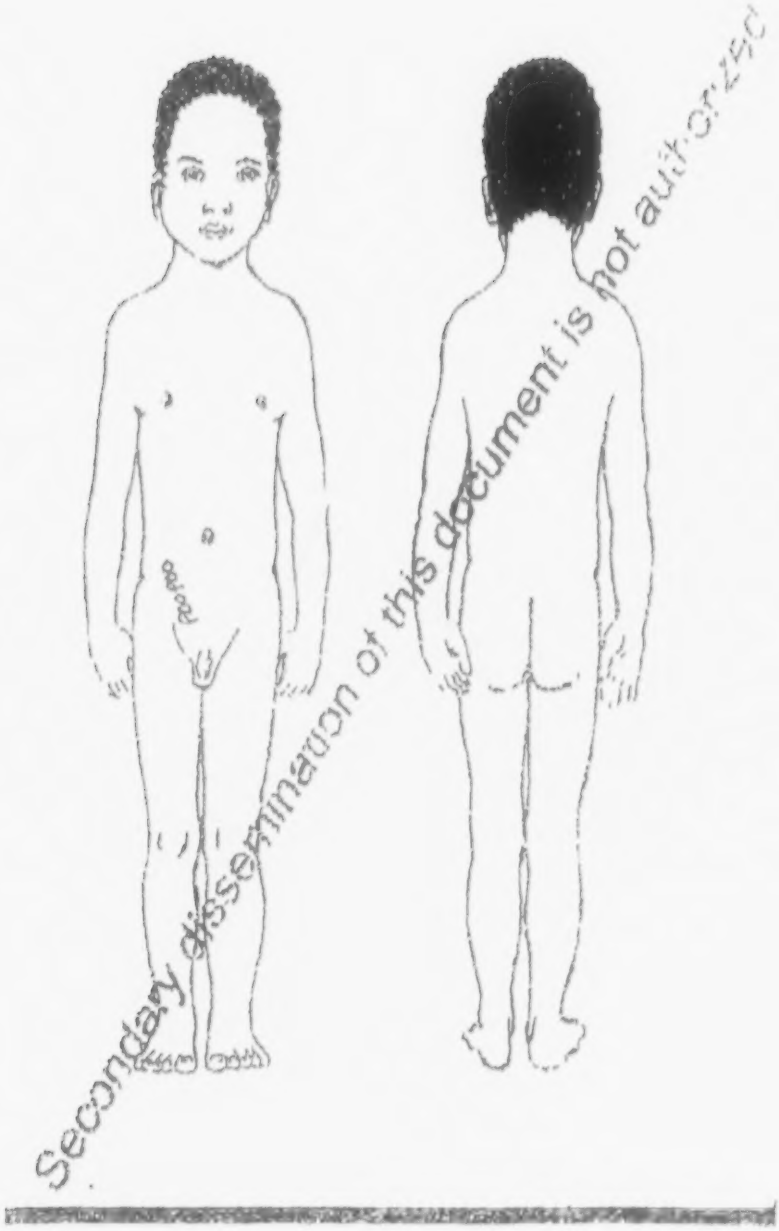

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